

COMMUNITY DEVELOPMENT DEPARTMENT

PUBLIC HEARING TO CONSIDER THE
ADEQUACY OF THE DRAFT ENVIRONMENTAL
IMPACT REPORT PREPARED FOR THE
BULK MATERIALS, PROCESSING CENTER
AND RELATED ACTIONS AT THE
WEST CONTRA COSTA SANITARY LANDFILL

NOVEMBER 25, 2003

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS
BY: JOANNA BROADWELL, CSR 10959

CLARK REPORTING
2161 SHATTUCK AVENUE, SUITE 201
BERKELEY, CALIFORNIA 94704
(510) 486-0700

A P P E A R A N C E S:

Chairperson:

DENNIS M. BARRY, AICP

Community Development Director

Community Development Department

651 Pine Street

North Wing-4th Floor

Martinez, CA 94553-0095

(925) 335-1276

Staff:

DEIDRA DINGMAN

Solid Waste Program Manager

Community Development Department

651 Pine Street

North Wing-4th Floor

Martinez, CA 94553-0095

(925) 335-1224

Speakers:

Johnny White

Dr. Henry Clark

Lee Jones

Eric Bledsoe

Debbi Landshoff

John Gioia

Whitney Dolson

--oOo--

1 BE IT REMEMBERED that on Monday, November 25, 2003,
2 commencing at the hour of 6:33 p.m. at 1410 Kelsey Street,
3 Richmond, California, before me, JOANNA BROADWELL, a duly
4 qualified Certified Shorthand Reporter, License No. 10959,
5 in and for the State of California, reported the following
6 proceedings.

7 --o0o--

8 PROCEEDINGS

9 MR. BARRY: Good morning, ladies and gentlemen, and
10 welcome to the November 25th, 2003, meeting of the Contra
11 Costa County Zoning Administrator. The first item on our
12 agenda this evening is public comment. If anyone would
13 like to make a public comment on an item within the
14 jurisdiction of the Zoning Administrator but not otherwise
15 listed on the agenda tonight, I would invite them to
16 submit, please, a green speaker card. And you also can
17 speak on any item on the agenda. You may wish to fill out
18 a green speaker card so we'll know when to call you. And
19 we'll also add you to any mailing lists for any subsequent
20 public notices on items that appear on the agenda.

21 I do have one speaker card under public comment,
22 Dr. Henry Clark. Dr. Clark?

23 DR. CLARK: It's been a little confusing there as
24 to whether to make any comments because I'm sure I'll be
25 commenting all throughout the process at the appropriate

1 time. But in terms of some of the particular issues and
2 concerns that I'm observing and are concerned with and have
3 raised in numerous meetings, and we have raised it tonight,
4 and hopefully get some sense of those issues addressed in
5 the draft of the EIR as it relates to the issues of not
6 only the -- any possible increase on truck traffic north
7 and how it impacts the community as well as the odors, and
8 particularly as it relates to the possible expanded
9 activities of the soil -- referring to the soil biosolids
10 project that is proposed on the site --

11 MR. BARRY: Dr. Clark, I'd ask if you have comments
12 about the EIR, that you hold those comments to that item on
13 the agenda. If you have other things that you would like
14 to talk to me about that are within the jurisdiction of the
15 Zoning Administrator, I will be happy to hear about those
16 comments now. But otherwise, I'll put you down for Item
17 No. 3 on the agenda.

18 DR. CLARK: Okay. Well, the other items, I didn't
19 quite see in the EIR, in my brief time that I had it to
20 review it, is in terms of mitigations, the mitigation
21 issues. Is that going to be part of --

22 MR. BARRY: Again, I would ask that you come back
23 up and speak when that item is called. That will be called
24 later. And I'll put you down for Item 3 to speak on the
25 Draft EIR on the bulk materials process center. Thank you.

1 Is there anyone else that would like to speak on
2 public comment on any item within the jurisdiction of the
3 Zoning Administrator that is not otherwise listed on the
4 agenda tonight? And I see no one coming forward.

5 We have No. 2, Termination of Easement Rights.
6 There are no items to be considered under Item No. 2, so
7 we'll move to Item No. 3. This is a public hearing on the
8 Draft Environmental Impact Hearing Report. I would like to
9 ask Deidre Dingman on our staff to make opening comments.

10 MS. DINGMAN: Thank you for coming this evening. I
11 am Deidre Dingman from the Contra Costa County Community
12 Development Department, and I'm the planner for this
13 project. I wanted to review our agenda description for
14 Item 3, and then just a couple of other opening comments.

15 This is the bulk material processing center and
16 related action to the West Contra Costa Sanitary Landfill,
17 County File No. LP022026. This is a public hearing to
18 consider the adequacy of the Draft Environmental Impact
19 Report prepared for the bulk material processing center and
20 related actions to the West Contra Costa Sanitary Landfill.
21 This Draft Environmental Impact Report has been prepared
22 for a twofold purpose. The West Contra Costa Sanitary
23 Landfill, Incorporated, operates a Class II sanitary
24 landfill located at the foot of Parr Boulevard in Richmond,
25 California. West Contra Costa Sanitary Landfill is

1 requesting amendments to existing land use permits for its
2 bulk material processing center that were issued in 1993 by
3 Contra Costa County and the City of Richmond to allow
4 development of a new solid waste transfer station and
5 expanded resource recovery activities.

6 Additionally, a solid waste facilities permit is
7 also required to allow a maximum of 30 feet of additional
8 height of landfill waste. Currently, the limit is at
9 130 feet. And the new elevation limit maximum would be
10 160 feet, based on the proposed location.

11 Again, just to reiterate, the speaker cards are the
12 small green sheets which are on the front counter. And
13 anyone who wishes to speak, please turn those in.

14 Additionally, we will assure that you are added to our
15 mailing list for notices about future meetings and hearings
16 on this project. Also, if you're interested in receiving
17 notices but do not wish to speak, we have a sign-in sheet
18 that you're welcome to add your name to for future notices.

19 Lastly, also on our table in front there, there are
20 some business cards of mine. So if you would like to
21 contact me at some point about the project after the
22 hearing, please feel free to take one, as well as there are
23 also agendas for tonight's meeting and the notice of
24 completion and availability for this EIR project. And that
25 notice has information regarding a comment period and the

1 deadline. Also locations when the EIR is available, such
2 as the Richmond Public Library and Supervisor John Gioia's
3 office. Also, there is a website where the EIR may be
4 viewed, if interested, free of charge. That information is
5 also in the notice, and lastly, the address for which
6 comment letters should be sent pursuant to the notice.
7 Please make sure to help yourself, if you don't have a
8 copy. And, again, thank you for coming.

9 MR. BARRY: Thank you, Deidra.

10 The way this hearing works this evening is, we're
11 here not to talk about whether we like the project or don't
12 like the project or how the project should or shouldn't be
13 approved, but rather we're here to determine whether or not
14 we have comments that relate to the adequacy of this
15 Environmental Impact Report draft. All of your comments
16 are being taken down both by tape and by court reporter.
17 That's why it's also important for us to have a green slip
18 with your name on it, so we have a correct spelling of your
19 name so that when the transcript comes out, and we can be
20 accurate as to who said what.

21 Once the comment period closes on December 22nd,
22 2003, at 5:00 p.m., and all the written comments have been
23 received, and the written transcript of the testimony from
24 this hearing is put together, our consultants and staff
25 will review all of the environmental comments that are

1 received and will respond to the substantive issues that
2 are raised with respect to the adequacy of the Draft EIR.

3 And that response to comments document that is
4 produced will be previewed by the County, and we will
5 exercise our independent judgment about whether it
6 adequately covers all of the requirements in the California
7 Environmental Quality Act. I will then, in a closed
8 hearing, make a recommendation to the hearing body to the
9 Contra Costa County Planning Commission and the Board of
10 Supervisors as to the adequacy of the Draft and response
11 comments, which together will be the final Environmental
12 Impact Report for the project.

13 So I say we're not here to talk so much tonight
14 about whether you like the project or don't. There will be
15 separate public hearings held before the County Planning
16 Commission and the Board of Supervisors and separate
17 hearings held before the Richmond City Council with respect
18 to whether the project should be approved.

19 And so being on our mailing list is also important
20 to get public notices that will be sent out letting you
21 know where the county will be holding its public hearings
22 and when. And that will be done in a timely fashion before
23 the hearing. Generally, those notices are sent out at
24 least 10 days prior to the hearing being held. You're also
25 welcome to call the staff, Deidra Dingman, at any time if

1 you have questions about the timing of the project
2 hearings.

3 Once that final Environmental Impact Report has
4 been certified, then the decision-making bodies can move
5 forward and make a decision either to approve the project,
6 deny the project, or approve the project with the
7 conditions of approval. Any mitigation measures that are
8 included in the final EIR must be included as conditions of
9 approval of the project under CEQA.

10 So with that being said, I am now going to invite
11 speakers that have submitted green speaker cards. Please
12 come up to the microphone and address your comments with
13 respect to the adequacy of the Draft Environmental Impact
14 Report. Our first speaker this evening is Mr. John White.

15 Mr. White?

16 MR. WHITE: Thank you very much. First of all, I
17 am in favor of Item No. 3. It will benefit this community
18 and the surrounding communities. I think that it's in the
19 best interests of the governing body that they take under
20 consideration about the community at large and how they
21 feel. And most of the community at large feels that they
22 do approve this -- that they do like this bulk materials
23 processing center. From the information that I have
24 received, I haven't read the EIR report at all, but I do
25 believe that it will be in our best interest that it be

1 approved.

2 MR. BARRY: Thank you very much. Since your
3 comments were not strictly related to the Draft
4 Environmental Impact Report, which you indicated you didn't
5 read, I would invite you to please come back to the County
6 Planning Commission or Board of Supervisors and make known
7 your support of the project at that time. We will put you
8 on the mailing list so you have notice.

9 Our next speaker is Dr. Henry Clark.

10 DR. CLARK: Thank you, Mr. Barry. I'm Dr. Henry
11 Clark. I'm representing the West County Toxics Coalition
12 Environmental Justice Organization here in Richmond for
13 over 21 years. Also, I'm also a member of the North
14 Richmond Municipal Advisory Council. The issues relating
15 to the mitigations that I addressed earlier, I found
16 those -- they are addressed in the Draft Environmental
17 Impact Report. The outstanding issue that I am still
18 concerned with is the issue on Page 414 of the odor issues
19 that are related to the liquid biosolids. And it indicates
20 here, if I'm reading this correctly, that at some point
21 there is going to be a demonstration, a project prior to
22 the full-scale operation to determine if the liquid
23 biosolids can be sprayed, applied without creating nuisance
24 odors.

25 A couple of the questions in that regard is that,

1 since we are talking about approving the decision for
2 approving the Draft Environmental Impact Report now, but at
3 some point later down the road you are going to be doing
4 this demonstration project, so how will the community be
5 able to comment on the results of that demonstration
6 project and have any sense at all about the results of
7 that? Is that going to happen before the -- this draft is
8 approved, or is there some other process, or what?

9 MR. BARRY: That comment will be responded to in a
10 response document.

11 DR. CLARK: Okay. The other issue in regard to the
12 liquid biosolids is in terms of the -- is there any other
13 permits or agencies that would be involved in the oversight
14 of dealing with that type of waste?

15 MR. BARRY: Again, these are issues -- we're not
16 here for an exchange, for you to ask me questions, but
17 rather for you to give me testimony, and the staff, to
18 subsequently address those significant environmental issues
19 you bring up. So that will be addressed then. You may
20 want separately, outside the hearing setting, to contact
21 staff with some of these kinds of questions.

22 DR. CLARK: Okay, I will. But in regard to the
23 questions on this part of the process, they will be
24 addressed in the final Environmental Impact Report?

25 MR. BARRY: Yes. To the extent that they're

18-1

18-2

1 related to potential for significant impacts and the degree
2 of those impacts, they must be responded to.

3 DR. CLARK: Okay. Well, at the moment I would like
4 to see those particular issues addressed. Thank you.

5 MR. BARRY: Thank you. And I would remind the
6 audience of one factor and inform you of another: One
7 factor is that we do urge you, if you have additional
8 thoughts after this public hearing, to please submit
9 written comments through the closed comment period on
10 December 22nd, and we will be accepting written comments
11 through 5:00 o'clock on the 22nd.

12 The other piece of information that we probably
13 should have indicated earlier is that there are translation
14 services available in the back of the room for
15 Spanish-speaking people who are not comfortable speaking in
16 English. So we have made a translation service available
17 in case anyone would like to make use of it.

18 The next speaker that we have a green slip for is
19 Lee Jones.

20 Mr. Lee Jones?

21 MR. JONES: I pass.

22 MR. BARRY: Mr. Jones indicates that he does not
23 wish to make comments at this time.

24 The next speaker is Eric Bledsoe. I'm sorry if I
25 got the pronunciation wrong.

1 MR. BLEDSOE: Bledsoe.

2 MR. BARRY: Mr. Bledsoe.

3 MR. BLEDSOE: My comments may not be appropriate.
4 My name is Eric Bledsoe. I briefly looked through that.
5 I'm here today because I'm a property owner at 21 Park
6 Boulevard in Richmond. And your EIR may address the issues
7 of the problems that currently exist out there with the
8 dump. I don't know. But if they don't, I would like to
9 bring them to your attention. I have two facilities, the
10 Hertz facility and Electronic Innovations, which is an
11 industrial security contractor. When I moved into this
12 area 10 years ago -- and prior to that, I had been located
13 down the street at the old Erickson facility -- I was told
14 that the dump -- and I own my property there -- I was told
15 the dump had a lifespan of three to five years. I read the
16 notice about the goal to expand the facility. And we have
17 so many issues going on down there such as dust that
18 literally permeate our building into our air conditioning
19 system, things like that, trash dumping, vehicles just
20 driving by without covered loads, or just illegal dumping.

21 Just recently last week, maybe even at the
22 beginning of the week, the sheriff's department cleaned out
23 vehicles that had been dumped out there for over a year.
24 We have extreme traffic issues with the Richmond Parkway
25 and trucks entering and exiting. And then the hot trucks,

18-3

1 which are food vendors that park there, and there are
2 customers coming out of the landfill, stop and eat their
3 burritos, and things like that, that cause other traffic
4 issues.

5 So I don't know if the EIR addresses that. If it
6 does, great. I'm sure I'll find it. But if it doesn't,
7 those problems exist. And I guess I can respond in writing
8 to yourself about these issues. But since I came down
9 here, and I heard what the testimony period was about, I
10 figured I'd put my two cents in. Thank you.

11 MR. BARRY: Thank you very much. And certainly the
12 subject matter that you are referring to are environmental
13 impacts, and the draft will -- the responsive comments will
14 either respond substantively if it's not covered
15 appropriately in the draft, or will point you in the
16 direction where it is covered in the draft, if it is
17 covered already.

18 MR. BLEDSOE: So you'll respond back to me?

19 THE DEPONENT: There will be a response to the
20 "comments" document that will be prepared after the close
21 of the comment period. But you're certainly welcome to
22 submit written comments up to the 22nd of December at
23 5:00 o'clock.

24 Our next speaker card is Debbie Landshoff.

25 MS. LANDSHOFF: Hi. I'm not actually submitting

1 comments. I will be submitting written comments, and I was
2 wondering who on staff -- I have some questions about the
3 scope of the project and, you know, what it's really --
4 what it's saying. And I don't know who to ask.

5 MR. BARRY: Deidra Dingman, appearing to your
6 right, is the project planner on this. So you're certainly
7 welcome to contact her. I'm sure if you talk to her after
8 this hearing she'll give you a telephone number or e-mail
9 address, and she'll be happy to fill you in.

10 I have no further -- oh, here is one. Next speaker
11 is John Gioia.

12 I note there is no "honor" on here, but you'll all
13 recognize Supervisor Gioia.

14 MR. GIOIA: Good evening. I'm John Gioia. I
15 represent this area on the Board of Supervisors for the
16 City of Richmond. I wanted to make one comment. First,
17 there is a fair amount of discussion in the EIR on various
18 mitigation measures to address littering issues. In one of
19 those on Page 7-20 under 5:

20 "Littering," in the second text paragraph
21 where it says, "The main sources of litter in
22 the proposed Project include the WRC and
23 extended landfill operations afforded by the
24 height increase and additional capacity."

25 And then it says:

1 "The materials managed in other components of
2 the BMPC such as concrete and asphalt
3 crushing, wet/dusty material blending,
4 composting, wood recovery, and soil
5 reclamation and biosolids/dredged material
6 spreading, are not expected to be sign
7 ificant sources of litter."

8 I would like to add that some of those activities,
9 specifically concrete and asphalt crushing, compost and
10 wood recovery, do have impacts on litter in the surrounding
11 communities. There have been incidents of crushed rock or
12 asphalt, those kinds of materials, that are dumped as well
13 in the surrounding community that, in addition, wood
14 material that would be taken to the dump is eventually
15 composted has also been dumped. So I think it's important
16 to address the issue of the impact of some of these other
17 items here on littering, not just the transfer station
18 itself, but the garbage taken to the transfer station and
19 that the mitigation measures recognize that litter is
20 caused -- litter of various types is caused by some of
21 these other activities in addition to the transfer station
22 itself. That's it.

23 MR. BARRY: Thank you. That was the last speaker
24 card I have -- actually, I have one more. Thank you.

25 The next speaker is Whitney Dolson.

1 DR. DOLSON: Yes. Whitney Dolson, Trails for the
2 Richmond Action Committee. I had a couple of comments
3 regarding the Bay Trail portion of the landfill. Phase 1
4 trail should include the half-mile spur in the southwest
5 corner of the landfill levy system to the southern reach in
6 the outer levy. There is no evidence that significant
7 environmental effects would result from the -- from the
8 trail on the outer levy, the segment currently isolated by 18-5
9 breaches, and, hence, no justification for recommending the
10 deletion of the Phase 4 Bay Trail route, which is specified
11 in the North Richmond shoreline Specific Plan, because
12 there is no data -- no data was presented on the species or
13 number of birds, if any, which use the isolated section on
14 our levy. And the two-year wildlife and public access
15 study by Trilo and Soquel found no evidence that human use
16 of the levy trails affects bird abundance or diversity in
17 foraging habitats at three locations where mud flats are
18 exposed at low tide. And the poison oak and blackberry 18-6
19 should be deleted from the trail-side plant list.

20 Those are my comments.

21 MR. BARRY: Dr. Dolson, your testimony is more
22 related to the form in which you believe this project
23 should be conditioned if it's approved than about the
24 adequacy of the EIR. So I would urge you, please, do make
25 yourself available, if possible, to make that testimony

1 before the County Land Commission and the board of
2 supervisors. Thank you.

3 That was the last speaker card that I have. If
4 there is anyone else in the audience that would like to
5 make comments on the adequacy of the Draft Environmental
6 Impact Report that's available, I would ask you to please
7 come forward at this time. You can fill out a green
8 speaker card after you finish, if you would like. And I
9 see no one coming forward at this time.

10 I would very much like to thank you for joining us
11 this evening and providing this useful commentary that
12 needs to be considered along with all the written comments.
13 I find that it's often easier for people to come and make
14 their comments verbally than it is for them to sit down and
15 write them out. So we try and do that, and I'll note that
16 we made a special effort to come out to the community this
17 evening rather than trying to make you all come to Martinez
18 on a Monday morning when the Zoning Administrator usually
19 would hold hearings. And I think that's because the staff
20 recognizes what a substantial project this is, and how
21 important it is to the community.

22 So with that, I will thank you all and wish you all
23 a very happy Thanksgiving with your family and friends.
24 Thank you very much. This meeting is adjourned.

25 (The hearing adjourned at 6:59 p.m.)

--o0o--

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

REPORTER'S CERTIFICATE

I, Joanna Broadwell, Certified Shorthand Reporter No. 10959 in and for the State of California, hereby certify that the foregoing is a full, true and correct transcript of the proceedings to the best of my ability.

Date: 12/17/03

JB
Joanna Broadwell CSR # 10959